

# OVERVIEW OF THE INDIANA MEDICAL ERROR REPORTING SYSTEM

## Who is required to report?

Indiana rules (410 IAC 15-1.4-2.2, 410 IAC 15-2.4-2.2, 410 IAC 26, 410 IAC 27) require that hospitals, ambulatory surgery centers, abortion clinics, and birthing centers report events as defined in the rules. For 2006, there were a total of 287 facilities required to report.

## What are the essential components of the reporting system?

The Indiana Medical Error Reporting System was organized based on several general principles. The following is a description of the general principles and how the reporting system addresses them:

- Preserve patient confidentiality. Identifying information about a patient is not reported to the Indiana State Department of Health. The only information reported is the category of event, the quarter in which the event occurred, and the facility in which the event occurred. The report does not include the quarter in which the event occurred to further limit the linking of an event with a patient. The inclusion of the quarter in the data is to assist facilities in identifying reported events to prevent duplication of reported events.
- Timely. Events are reported through an online system. The health care facility may review their reported events at any time throughout the year to ensure correct reporting. By having an online system with constant access, this allows the Indiana State Department of Health to assemble the data quickly at the end of the reporting period and produce a report. With six months to report events, health care facilities could report 2006 events as late as June 30, 2007. By having an online system with immediate access to the data, the Indiana State Department of Health expects to release its final 2006 report within a month or two of the end of the reporting period.
- Not punitive. The Indiana Medical Error Reporting System is intended to help find solutions to healthcare quality problems by promoting collaboration and communication between providers towards improving quality of care. As discussed above, information from reported events on the Indiana Medical Error Reporting System is not reviewed by surveyors as part of the survey process. The only punitive element is a failure to report reportable events.
- Data will be available on the internet and available to the public. Each year the Indiana State Department of Health will publish a report. The report will include the reported data for each health care facility. The report will be published on the Indiana State Department of Health Web site.
- Health care facilities to share best practices. The Indiana State Department of Health will be working with health care providers and associations to identify initiatives

designed to provide solutions to events identified in the data. The Indiana State Department of Health will be including best practices in future reports.

What is the health care facility required to report?

The above health care facilities are required to report any reportable event as defined by the rules that occurs within that facility. Once a health care facility has determined that a reportable event has occurred it must send the Indiana State Department of Health the following information:

- (1) Which of the twenty-seven reportable events occurred;
- (2) The health care facility where the reportable event occurred; and
- (3) The quarter and calendar year within which the event occurred.

The facility submitting the reportable event is not to include any identifying information regarding:

- (1) a patient;
- (2) a licensed healthcare professional; or
- (3) a facility employee involved.

The facility submits the reportable event in an electronic format. The Indiana State Department of Health has established an internet portal system that allows a facility to register and then submit the required reports electronically. The system does not allow for the submission of information identifying a patient or healthcare professional.

What is not included in the Indiana Medical Error Reporting System?

The Indiana Medical Error Reporting System only collects data on the number and category of reported events. The Indiana System does not include the following:

- Specific information about the event. The health care facility only reports the category of the event. The facility does not provide the Indiana State Department of Health with a description of the event. The agency therefore does not have the ability to analyze each event. Each event must be reviewed by the facility's Quality Improvement and Assessment Program. The Indiana State Department of Health anticipates that patient safety centers will become an evaluator of reported events once those centers are developed.
- Distinguish between events that resulted in death and event resulting in serious disability. Reports to the Indiana Medical Error Reporting System do not distinguish between death and serious disability. Data reported does not reflect the number of deaths resulting from such events.
- Events that resulted in less than death or serious disability. The threshold for some events is an event resulting in death or serious disability. For those events, an event that occurs but results in no harm or injury or harm to a patient at less than death or serious disability are not reportable events.
- "Near misses." Near misses are events that were caught before the event occurred. For instance, the wrong patient is taken to the surgery department but it is caught

before surgery is performed on the patient. The Indiana Medical Error Reporting System does not include near misses.

- Root cause analysis. Some states require a facility to perform a root cause analysis for each event and provide that analysis to the state department of health. Indiana's rule requires events to be reviewed by the facility's Quality Improvement and Assessment Program but does not require a report to the Indiana State Department of Health.

#### How does a health care facility determine whether a specific event is a reportable event?

Health care licensing rules require health care facilities to have an effective, organized, and comprehensive quality assessment and improvement program in which all areas of the facility participate (see, for example, 410 IAC 15-1.4-2). The facility is required to take appropriate action to address the opportunities for improvement found through the quality assessment and improvement program. The Indiana Medical Error Reporting System requires the facility's quality assessment and improvement program to establish a process for reporting a reportable event that occurs within that facility.

The procedure for reporting a medical error is as follows:

- The health care facility must have a process in place for accurately and timely determining the occurrence of a potential reportable event
- When an event occurs that may constitute a reportable event, the event is referred to the health care facility's quality assessment and improvement program for review
- If the facility's quality assessment and improvement program determines that a reportable event occurred, the facility must report the event within fifteen days of the program's determination that a medical error occurred and not later than six months after the potential event is brought to the program's attention
- The reportable event is submitted to the Indiana State Department of Health via an online system. An individual is designated by each facility to report events and is provided access to the online system. The facility reports the category of the event and the quarter in which the event occurred.

#### What are the responsibilities of the health care facility towards correcting the medical error?

Health care licensing rules require health care facilities to have an effective, organized, and comprehensive quality assessment and improvement program in which all areas of the facility participate (see, for example, 410 IAC 15-1.4-2). The facility is required to take appropriate action to address the opportunities for improvement found through the quality assessment and improvement program. The facility's quality assessment and improvement program is required to conduct in-depth analyses of events that may have been caused by medical error.

After conducting the analyses, the facility is required to develop and implement a plan to correct the problem. In developing corrective actions, the Indiana State Department of Health

encourages collaboration between providers to develop consistent care practices that will reduce confusion and result in fewer medical errors. The Indiana Medical Error Reporting System is intended to promote the development of best practices that are shared across the provider community.

How will the Indiana State Department of Health enforce the reporting requirements?

The reporting requirements are included as part of the health care facility licensing rules. For violation of health care facility licensing rules, the Indiana State Department of Health may impose the following enforcement actions:

- issue a letter of correction
- issue a probationary license
- conduct a resurvey
- deny the renewal of the license
- revoke the license
- impose a civil penalty in an amount not to exceed ten thousand dollars (\$10,000) per violation

If the Indiana State Department of Health becomes aware that an event was not reported as required by rule, the agency will conduct an investigation. If the investigation determines that an event occurred and was not reported, the Indiana State Department of Health may issue an enforcement action.